

#### REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-18 and 20-22 are pending in the application, with Claims 1, 10, and 16 being independent.

Claim 19 was previously canceled without prejudice to or disclaimer of the subject matter recited therein.

Claims 1-18 and 20-22 are amended herein. Amendments have been made throughout the claims to correct grammatical errors and other informalities found therein. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added. Favorable consideration is respectfully requested.

Applicant notes that dependent Claims 8, 15, and 18 are not presently rejected. Accordingly, Applicant respectfully submits that Claims 8, 15, and 18 are patentable over the cited references, both singularly and in combination with one another, and therefore, respectfully further submits that Claims 8, 15, and 18 are allowable.

#### § 103 REJECTIONS

Claims 1-7, 9-14, 16, 17, and 20-22 were rejected under 35 U.S.C. § 103(a) as being obvious over Heikes *et al.* (U.S. Patent Publication No. 2003/0222907; hereinafter, "Heikes") in view of Lango *et al.* (U.S. Patent No. 6,813,690; hereinafter, "Lango"). Applicant respectfully traverses the rejection and further requests that the rejection be

reconsidered and withdrawn. However, in spite of Applicant's traversal, without acquiescing to the propriety of the rejection, and for the sole purpose of expediting allowance of the present application, Applicant hereby amends independent Claims 1, 10, and 16 in the manner discussed during the interview. As stated above, Examiner Osman indicated that Claims 1, 10, and 16, as amended as discussed during the interview, are allowable over at least the references of record. Nevertheless, Applicant hereby submits its remarks with respect to Claims 1-18 and 20-22.

With regard to independent Claim 1, Applicant respectfully submits that Heikes neither teaches nor even suggests the following recitations of Claim 1:

generating, at a client computing device running the instant messaging application, a unique hash value of a fixed length based on the object data received from a remote user, the object data representing the remote user and comprising metadata descriptive of the object data, wherein the metadata comprises:

...

returning an object name of the object data to the instant messaging application, the object name comprising the hash value and the location field and enabling access of the object data in the local cache by the instant messaging application without the object data being altered at the client computing device.

In particular, Heikes fails to teach generating, at a client computing device running the instant messaging application, a unique hash value of a fixed length based on the object data received from a remote user, as presently recited in Claim 1. Heikes is directed to the personalization of instant messaging communications for an instant message sender (paragraph [0002]). More particularly, Heikes teaches that an IM (instant messaging) recipient may choose one or more personalization items (paragraph [0068]). Further, when a personalization item is locally stored on the IM recipient system, a corresponding

identifier associated with that personalization item may be created based on a hash of the item data (paragraph [0068]). Subsequently, an IM sender system, which is separate from the IM recipient system, may select the identifiers associated with the IM recipient for the purpose of perceiving the IM recipient's personalization item in subsequent communications with the IM recipient (paragraphs [0072] and [0073]). In other words, the personalization item is both chosen by the IM recipient system and converted into an identifier based on a hash at the IM recipient system.

On the other hand, Claim 1 recites generating, at a client computing device running the instant messaging application, a unique hash value of a fixed length based on the object data received from a remote user. Claim 1 further recites that the object data represents a remote user. That is, the client computing device generates a unique hash value based on the object data but the object data is received from and represents a different, remote user. Even assuming, for the sake of argument, that Heikes' teachings of a personalization item and creating an identifier based on a hash are equivalent to the recited object data and the unique hash value, respectively, to which Applicant does not acquiesce, Heikes still fails to teach the foregoing recitation. For instance, choosing the personalization item and creating an identifier based on a hash are performed by the same entity in Heikes (the IM recipient system). However, Claim 1 recites that generating a unique hash value is performed by the client computing device but that the object data is received from and represents a remote user. Accordingly, for at least the foregoing reasons, Heikes fails to teach the recitation set forth above.

Further, Applicant respectfully submits that Heikes fails to teach "the object data

representing a remote user in the instant messaging application and comprising metadata descriptive of the object data,” as presently recited in Claim 1. Again, even assuming for the sake of argument that Heikes’ teaching of a personalization item constitutes object data, to which Applicant denies, Heikes neither teaches nor suggests that the personalization item comprises metadata descriptive of the personalization item. Although the Action states that Heikes fails to explicitly teach that the metadata comprises a hash field, a location field, and a type field, the Action asserts that Heikes teaches the foregoing recitation (Office Action, page 3). Yet, Applicant respectfully submits that the portions of Heikes cited in the Office Action (paragraphs [0068] and [0072] – [0073]) fail to teach any type of metadata.

Additionally, as stated above, Heikes fails to teach:

returning an object name of the object data to the instant messaging application, the object name comprising the hash value and the location field and enabling access of the object data in the local cache by the instant messaging application without the object data being altered at the client computing device,

as presently recited in Claim 1. Rather, Heikes teaches that after the IM recipient chooses a personalization item and creates an identifier based on a hash, the IM sender system selects particular identifiers corresponding to particular personalization items (paragraph [0072]. Such identifiers may either be stored on the IM server system or retrieved from various other locations (paragraph [0072]). Subsequently, the IM sender system uses the identifiers to determine if the corresponding personalization items are available locally at the IM sender system or whether the IM sender system must request the personalization items from another location (paragraph [0073]). Further, Heikes teaches that once the

IM sender system locates or receives the personalization items of the IM recipient, the IM sender system may perceive and view the personalization items (paragraph [0073]).

However, despite the foregoing teachings, Heikes fails to teach returning an object name of the object data to the instant messaging application, as presently recited. Rather, Heikes merely teaches that the IM sender system uses an identifier to receive corresponding personalization items. Yet, Heikes mentions nothing of returning an object name, as presently recited. Further, as stated above, the Action acknowledges that Heikes fails to explicitly teach metadata comprising a location field (page 3). Nevertheless, the Action states that Heikes teaches the foregoing recitation, which recites that the object name comprises the hash value and the location field, as presently recited in Claim 1. Accordingly, because Heikes fails to teach a location field, it logically flows that Heikes also cannot teach an object name that comprises the hash value and the location field, as presently recited.

In addition, Claim 1 recites enabling access of the object data in the local cache by the instant messaging application without the object data being altered at the client computing device. Applicant respectfully submits that Heikes fails to mention anything regarding the object data, or any component taught by Heikes (personalization item, identifier, etc.), not being altered at the client computing device, as presently recited. Accordingly, for at least the foregoing reasons, Heikes neither teaches nor suggests several limitations recited in independent Claim 1.

Furthermore, Lango neither remedies the deficiencies in Heikes noted above with respect to independent Claim 1, nor does the rejection make any arguments to that

effect. Accordingly, Claim 1 is patentable over Heikes and Lango, both singularly and in combination with one another.

Moreover, Heikes fails to teach at least the following limitations recited in independent Claim 10:

receiving, at the client computer, a name associated with a user on a remote computer from an instant messaging application executed on the client computer, the name comprising location data and a hash value uniquely associated with a data object received by and representing the user on the remote computer, the data object comprising metadata descriptive of the object data, wherein:

generating, at the client computer, the hash value to compute a condensed representation of the data object associated with the user on the remote computer;

...

the location data in the name indicating a location of the data object other than the location in the local cache identified by the hash value; and

...

retrieving the data object associated with the name, the retrieving comprising:

...

retrieving the data object from the location identified by the location data if the data object is not in the local cache.

More particularly, for at least the reasons set forth above with respect to independent Claim 1, Heikes fails to teach “receiving, at the client computer, a name associated with a user on a remote computer...and a hash value uniquely associated with a data object received by and representing the user on the remote computer” and “generating, at the client computer the hash value...,” as presently recited in Claim 10. As stated above, because the data object is received by and represents the user on the remote computer and the hash is generated at the client computer (two different entities), Heikes fails to

teach the foregoing recitation.

Moreover, as stated above, Heikes also fails to teach a name associated with a user on a remote computer, as presently recited. Rather, Heikes merely teaches personalization items and identifiers, which Applicant respectfully submits have nothing to do with a name associated with a user on a remote computer. Accordingly, for at least the reasons set forth above with respect to Claim 1, Heikes fails to teach the foregoing recitation.

Further, Heikes fails to teach that the location data in the name indicates a location of the data object other than the location in the local cache identified by the hash value, as presently recited. Applicant respectfully submits that Heikes fails to teach, or even suggest, location data altogether. Accordingly, Heikes fails to teach the foregoing recitation.

Furthermore, Heikes neither teaches nor suggests retrieving the data object associated with the name, the retrieving comprising...retrieving the data object from the location identified by the location data is not in the local cache,” as presently recited. As stated above, because Heikes fails to teach “location data,” it logically flows that Heikes also cannot teach retrieving the data object from the location identified by the location data, as presently recited in Claim 10. Thus, for at least the foregoing reasons, Heikes neither teaches nor suggests at least the foregoing recitations of Claim 10.

Furthermore, Lango neither remedies the deficiencies in Heikes noted above with respect to independent Claim 10, nor does the rejection make any arguments to that effect. Accordingly, Claim 10 is patentable over Heikes and Lango, both singularly and in

combination with one another.

Additionally, for at least the foregoing reasons with respect to independent Claim 1 and 10, Heikes fails to teach at least:

the data object representing the remote user on the client computer, the data object being received by the client computer from the remote client computer, and comprising metadata descriptive of the data object, wherein the metadata comprises:

a hash field storing a hash value generated, by the client computer, to identify a location in a local cache of the client computer in which the data object is to be stored;

...

a name field storing an object name comprising the hash value and the location identifier of the data object; and

...

a data object store operable to:

retrieve the data object from the remote client computer through the location identified by the location identifier,

as presently recited in independent Claim 16. More particularly, for at least the reasons stated above, Heikes fails to teach a data object representing a remote user on the client computer, the data object being received by the client computer from the remote client computer, and a hash value generated by the client computer, as presently recited. Rather, Heikes teaches that the personalization item is selected by the IM recipient system and the identifier is also created by the IM recipient system using a hash. Accordingly, because the data object represents a remote user and the hash value is generated by the client computer, Heikes fails to teach the above recitations.

Moreover, as stated above with respect to Claim 1, Heikes neither teaches nor suggests that the data object comprises metadata descriptive of the data object, as presently recited in Claim 16. In fact, Heikes fails to mention metadata whatsoever.



Lastly, Heikes fails to teach “a data object store operable to...retrieve the data object from the remote client computer through the location identified by the location identifier,” as presently recited in Claim 16. For example, because the Action acknowledges that Heikes fails to teach a location identifier (Office Action, page 3), it logically flows that Heikes also cannot teach the location identified by the location identifier, as presently recited. Accordingly, for at least the foregoing reasons, Heikes fails to teach several limitations recited in independent Claim 16.

Furthermore, Lango neither remedies the deficiencies in Heikes noted above with respect to independent Claim 16, nor does the rejection make any arguments to that effect. Accordingly, Claim 16 is patentable over Heikes and Lango, both singularly and in combination with one another.

Moreover, dependent Claims 2-9, 11-15, 17, 18, and 20-22 depend from independent Claims 1, 10, and 16, which are patentable over Heikes in view of Lango for at least the reasons set forth above with regard to Claims 1, 10, and 16. As a result, due to their dependency on independent Claims 1, 10, and 16, and also for the additional features that Claims 2-9, 11-15, 17, 18, and 20-22 recite, dependent Claims 2-9, 11-15, 17, 18, and 20-22 are also patentable over Heikes and Lango, both singularly and in combination with one another.

Further, without any teaching or suggestion as to how or even why the descriptions in Heikes may be modified, it is further submitted that one of ordinary skill would not have been motivated to modify the implementations described by Heikes with Lango, nor would it have been obvious to try. Further, as Heikes fails to teach several

features recited in independent Claims 1, 10, and 16 and Lango fails to remedy the deficiencies in Heikes set forth above, Applicant respectfully submits that one of ordinary skill in the art would not have sought to modify Heikes using such a reference. Furthermore, because Lango is directed to a completely different field (caching media data using content-sensitive identifiers) and in no way relates to instant messaging personalization, as described in Heikes, Applicant respectfully submits that one of ordinary skill in the art would not have sought to modify Heikes using a reference from an entirely different art. Likewise, as the references noted above lack several limitations of independent Claims 1, 10, and 16, it would not have been obvious to try, at the time of the invention, to make the inventions as presently claimed.

Thus, Heikes and Lango, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the recitations of independent Claims 1, 10, and 16. Accordingly, Applicant respectfully submits that independent Claims 1, 10, and 16 are patentable over the proposed combination of references. Furthermore, dependent Claims 2-9, 11-15, 17, 18, and 20-22 are patentable by virtue of their dependency on independent Claims 1, 10, and 16, as well as for the additional features that each claim recites. Additionally, as dependent Claims 8, 15, and 18 were not rejected, Applicant respectfully submits that Claims 8, 15, and 18 are allowable. Applicant also respectfully requests individual consideration of each dependent claim.

Therefore, for at least the foregoing reasons, it is respectfully submitted that Claims 1-18 and 20-22 are not obvious over Heikes in view of Lango, and therefore, the

present rejections under 35 U.S.C. § 103(a) should be reconsidered and withdrawn.

CONCLUSION

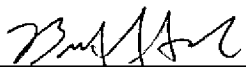
For at least the foregoing reasons, it is respectfully submitted that Claims 1-18 and 20-22 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

The arguments and amendments presented herein were necessitated by the most recent Office Action and the telephone interview between Applicant's representative and Examiner Osman dated January 26, 2009. If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: 1/27/2009

By: 

David S. Lee

Reg. No. 38222

Brett J. Schlameus

Reg. No. 60827

206-876-6022